

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CHELSEA WILLIAMS and
NICHOLAS WILLIAMS,**

Plaintiffs,

v.

JOHN GILGALLON, et al.,

Defendants.

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**3:13-CV-02945
(JUDGE MARIANI)**

ORDER

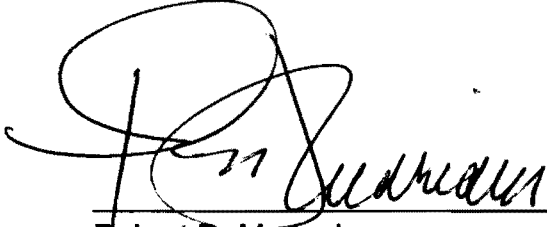
AND NOW, THIS 17TH DAY OF MAY, 2016, upon consideration of Defendant Fallon and Defendant Mackie's Motion for Summary Judgment (Doc. 73), **IT IS HEREBY ORDERED THAT:**

1. Defendants' Motion (Doc. 73) is **GRANTED IN PART** and **DENIED IN PART**, to wit:
 - a. With respect to Plaintiffs' § 1983 claims against Defendant Fallon and Defendant Mackie (Counts III, IV, V, and VI),¹ the Defendants' Motion is **DENIED**.
 - b. With respect to Chelsea Williams's claim for Intentional Infliction of Emotional Distress (Count X), the Defendants' Motion is **GRANTED**.
 - c. With respect to the Plaintiffs' state law claims for assault and battery (Counts XI and XII), the Defendants' Motion is **DENIED**.

¹ All references to "Counts" are to the claims set forth in the Third Amended Complaint (Doc. 95).

d. With respect to the Plaintiffs' state law claims for loss of consortium (Counts XIII and XIV), the Defendants' Motion is **DENIED**.

2. A telephone scheduling conference **SHALL BE CONDUCTED** on **Tuesday, May 31, 2016 at 2:00 p.m.** for purposes of scheduling this matter for trial. Counsel for the Plaintiff is responsible for arranging the call to Chambers at (570) 207-5750 and all participants should be prepared to proceed before the undersigned is contacted.



Robert D. Mariani
United States District Judge